

BOARD OF COUNTY COMMISSIONERS, WASHOE COUNTY, NEVADA

TUESDAY

2:00 P.M.

MAY 28, 2002

PRESENT:

Pete Sferrazza, Chairman
Joanne Bond, Vice Chairman
Jim Galloway, Commissioner
Jim Shaw, Commissioner
Ted Short, Commissioner

Nancy Parent, Chief Deputy Clerk
Katy Singlaub, County Manager
Madelyn Shipman, Legal Counsel

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

02-522 AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the agenda for the May 28, 2002, meeting be approved.

PUBLIC COMMENTS

Sam Dehne, local resident, expressed his dissatisfaction with the Reno-Sparks Convention and Visitors' Authority and the *Reno Gazette-Journal*.

Terry Tierney, Palomino Valley resident, distributed and reviewed written information entitled, "Point Paper Concerning Free Roaming Livestock" and copies of Nevada Revised Statutes concerning livestock grazing and ranging. He requested the County modify the congested area ordinance to read that cattle cannot be run anywhere in the County within one mile of a residence with no exemptions.

Stanley Waugh, Minister, expressed his objections to the brochure rack in the Courthouse displaying wedding chapel advertising, stating what began as a neutral brochure rack to provide information to couples getting married has degenerated into a commercial "price war" zone. He requested the Commission consider a future agenda item to discuss this in detail and take appropriate action.

MANAGER'S/COMMISSIONERS' COMMENTS

Commissioner Galloway suggested a workshop be scheduled to review the policy regarding advertising on County property. Katy Singlaub, County Manager, advised the workshop schedule is pretty well filled until September. She said she would get a report to the Board concerning the advertising policy and whether there are any other kinds of advertising occurring in other County facilities; and, if it is the Board's desire after seeing the report, an agenda item to address the issue will be scheduled.

Commissioner Short asked for an update on the status of funding the restoration project in Judge Breen's courtroom.

Commissioner Bond asked that, when items are added to the list of priorities established for the joint meetings, they be added at the end rather than the beginning. She stated the original list was based on what the group wanted to focus on, but they never get through the agenda items each month.

Commissioner Bond reported that Washoe County will be hosting the NACO Western Interstate Regional conference in May 2003; and stated there is a considerable amount of work to be done.

Commissioner Galloway reported on the groundbreaking ceremony for the Verdi Cooperative School Library reminding everyone of the very successful public-private partnership effort that went into this accomplishment.

Chairman Sferrazza advised the Reno City Council would be considering the University Ridge Park this evening and he would try to attend. He requested the District Attorney's office look into the legality of what is occurring with the wedding chapel brochure rack and the issue be placed on a future agenda for Board action. Chairman Sferrazza also requested future agenda items concerning allocation of funds for Judge Breen's courtroom restoration and to consider acquisition of a portion of the Ballardini Ranch by condemnation, if Reno's annexation plan goes forward.

MINUTES

On motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the minutes of the regular meeting of April 9, 2002, be approved.

02-523 REAPPOINTMENT – BOARD OF MASSAGE EXAMINERS

Upon recommendation of Bob Webb, Interim Director, Department of Community Development, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Deborah Wenig be reappointed to the Washoe County Board of Massage Examiners with the term to expire on June 30, 2005.

02-524 REAPPOINTMENT - WASHOE COUNTY PLANNING COMMISSION

Upon recommendation of Rita Lencioni, Assistant to the County Manager, through Katy Singlaub, County Manager, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Robert Doxey and Daniel Salerno be reappointed to the Washoe County Planning Commission, with the terms to expire June 30, 2006.

02-525 INCREASE PETTY CASH FUND - WASHOE COUNTY LIBRARY

Upon recommendation of Bill Berrum, Washoe County Treasurer, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following Resolution, increasing the Washoe County Library's change fund from \$780.00 to \$795.00, be adopted and Chairman Sferrazza be authorized to execute same on behalf of Washoe County:

RESOLUTION INCREASE PETTY CASH FUND FROM \$780 TO \$795 FOR THE WASHOE COUNTY LIBRARY

WHEREAS, the Board of County Commissioners of Washoe County, pursuant to NRS 354.609, has the authority to create and fund change and petty cash fund accounts; and

WHEREAS, the Washoe County Library has requested an increase in their petty cash fund from \$780.00 to \$795.00 to assist in the administration of that office; now, therefore, be it

RESOLVED BY THE BOARD OF COMMISSIONERS OF WASHOE COUNTY, NEVADA, as follows:

1. That, pursuant to the provisions of NRS 354.609, the County Treasurer and the County Comptroller are hereby authorized and directed to take all necessary steps to establish and account for a \$15.00 increase in the petty cash fund (for a total of \$795) for the Washoe County Library.
2. That the above \$15.00 will be transferred from the Washoe County Treasurer's Commercial Bank Account.
3. That said petty cash fund be used exclusively for transactions related to the Washoe County Library.
4. That the Director of the Library shall henceforth be held accountable for the petty cash fund authorized by this resolution.

5. That the County Clerk is directed to distribute copies of this Resolution to the Washoe County Treasurer, Comptroller, Library Director and the Nevada Department of Taxation.

**02-526 REFUND SURPLUS ASSESSMENT FUNDS - SPECIAL
ASSESSMENT DISTRICT NO. 11 (SCARLETT-WEEMS)**

Upon recommendation of Bill Berrum, Washoe County Treasurer, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that refunds of surplus funds in the amount of \$242,449.80 for 83 properties in Washoe County Special Assessment District No. 11, Scarlett-Weems, be approved pursuant to NRS 271.429.

**02-527 REFUND SURPLUS ASSESSMENT FUNDS - SPECIAL
ASSESSMENT DISTRICT NO. 17 (NORTH HILLS BLVD.)**

Upon recommendation of Bill Berrum, Washoe County Treasurer, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that refunds of surplus funds in the amount of \$170,614.59 for 14 properties in Washoe County Special Assessment District No. 17, North Hills Boulevard, be approved pursuant to NRS 271.429.

02-528 QUITCLAIM DEED - INCLINE VILLAGE LIBRARY

Upon recommendation of Maureen Sheppard-Griswold, Deputy District Attorney, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Quitclaim Deed between Gardena Service Company, as successor in interest to Boise Cascade, Grantor, and Washoe County, Grantee, be approved and Chairman Sferrazza be authorized to execute said Quitclaim Deed. The Quitclaim Deed conveys all remaining right, title and interest in the property occupied by the Incline Village Library to Washoe County thereby removing any reserved rights Gardena would have to enforce the deed restriction on the property. Gardena Service Company requires a payment of \$250.00 to process the deed. It was noted the Public Works Department has sufficient funds in its budget to pay Gardena for processing the Quitclaim Deed.

**02-529 AWARD OF BID - OUTSOURCING OF THE WASHOE COUNTY
UTILITY BILLING - BID NO. 2330-02 - INFORMATION
TECHNOLOGY**

This was the time to consider award of the bid for Outsourcing of the Washoe County Utility Billing, on behalf of the Information Technology (IT) Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on March 27, 2002. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Global Docugraphix Inc.
CDCI/SourceLink
Intraform, Inc.
Sequoia Voting Systems

Payformance Corporation submitted a “no-bid” response.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Bid No. 2330-02 for Outsourcing of the Washoe County Utility Billing be awarded to the lowest responsive, responsible bidder, Global Docugraphix Inc. in the amount of \$149.26 per thousand, for an estimated value of \$29,553.48, based on 16,500 utility bills per month. It was further ordered that the Purchasing and Contracts Administrator be authorized to execute a one-year Agreement with Global Docugraphix Inc. for the outsourcing of the Washoe County Utility Billing retaining an option to renew the agreement in single year increments for up to three additional one-year periods.

**02-530 AWARD OF BID - SPARKS LIBRARY BACKFLOW
PREVENTION RETROFIT - BID NO. ITB-2337-02 - FACILITY
MANAGEMENT DIVISION**

This was the time to consider award of the bid for the Sparks Library Backflow Prevention Retrofit, on behalf of the Facility Management Division of the Washoe County General Services Department. The Notice to Bidders for receipt of sealed bids was published in the *Reno Gazette-Journal* on April 17, 2002. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Savage & Son, Inc.
D & D Plumbing
Harding Mechanical
Rapid Construction, Inc.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that Bid No. ITB-2337-02 for the Sparks Library Backflow Prevention Retrofit on behalf of the Facility Management Division be awarded to Savage & Son, Inc. in the net amount of \$23,388.00. It was further ordered that the Purchasing and Contracts Administrator be authorized to execute an Agreement with Savage & Son, Inc. to perform the work.

It was noted this amount is for the base bid work to install backflow prevention devices in the domestic water and irrigation water supplies located on site but does not include the add alternate work to install a backflow prevention assembly in the existing fire protection service to the Library. After meeting with the Sparks Fire Department and Truckee Meadows Water Authority officials, it was determined that, because of low water pressure in the existing fire protection system, the installation of a backflow prevention device might jeopardize the system capabilities and therefore would not be required at this time.

**02-531 PURCHASE ORDER - HEALTHSOUTH RENO MEDICAL PLAZA
- DISTRICT HEALTH DEPARTMENT**

Upon recommendation of Barbara Lee Hunt, District Health Officer, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the Purchase Order (No. TBA) for Healthsouth Reno Medical Plaza, in an amount not to exceed \$26,612, be approved. It was noted this action is to support an agreement between the District Health Department and Healthsouth whereby Healthsouth will provide female sterilization services for patients referred from the Washoe County District Health Department. The contract period is from May 1, 2002 through June 30, 2003.

**02-532 PURCHASE ORDER - SIERRA CONTROL SYSTEMS -
PREVENTIVE MAINTENANCE OF SCADA - WATER
RESOURCES**

Upon recommendation of John Collins, Manager, Utility Services Division, and Jess Coffman, Chief of Utility Operations, through Steve Bradhurst, Director, Washoe County Department of Water Resources, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the Department of Water Resources be authorized to issue a purchase order for preventive maintenance of the County's Supervisory Control and Data Acquisition (SCADA) system in an amount not to exceed \$22,425.00; and that Sierra Control Systems be authorized to provide emergency service as needed for the County SCADA system. It was noted this purchase order is exempt from competitive bidding requirements pursuant to NRS 332.115 1(c), which provides specific exception for the repair and maintenance of equipment which may be more efficiently repaired or maintained by a certain person (or firm).

**02-533 PROPERTY EXCHANGE - DENNIS CHARLEY - WHITE LAKE
PARKWAY IN COLD SPRINGS - PUBLIC WORKS**

Upon recommendation of Jack Holmes, County Surveyor, Public Works, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, it was ordered that Chairman Sferrazza be authorized to execute the following documents:

1. Resolution of Acceptance for a Deed of Dedication for property from Dennis Charley to Washoe County and a Grant, Bargain and Sale Deed from Washoe County to Dennis Charley;
2. Washoe County's Grant, Bargain and Sale Deed to Dennis Charley;
3. Deed of Dedication between Dennis Charley and Washoe County;
4. Grant of Easement to Washoe County from Dennis Charley; and
5. Temporary Deed of Easement.

It was noted this property exchange is for the realignment and construction of a portion of White Lake Parkway in the Cold Springs area, which will allow the County to realign White Lake Parkway to an appropriate location while enhancing safety and convenience for vehicular traffic.

**02-534 ADDENDUM - MEMORANDUM OF UNDERSTANDING WITH
FBI - MULTI-JURISDICTIONAL RESPONSE TO IMPROVISED
EXPLOSIVE DEVICES- SHERIFF**

Upon recommendation of Dennis Balaam, Sheriff, Washoe County, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Addendum to the Memorandum of Understanding (MOU) between the Federal Bureau of Investigation (F.B.I.) and: the Tahoe Douglas, Nevada, Fire Department; the Douglas County, Nevada, Sheriff's Office; the Washoe County, Nevada, Sheriff's Office; the Reno, Nevada, Police Department; the Sparks, Nevada, Police Department; the Elko, Nevada, Police Department; the Elko, Nevada, Fire Department; and the Placer County, California, Sheriff's Office concerning the Multi-Jurisdictional Response to Improvised Explosive Devices be approved and Chairman Sferrazza be authorized to execute said Addendum. The purpose of the Addendum is to add the Sheriff's Office of Placer County, California, to the MOU currently in place.

**02-535 FIRST AMENDMENT - INTERLOCAL AGREEMENT – WATER
RIGHTS – TRUCKEE RIVER WATER QUALITY SETTLEMENT
AGREEMENT - WATER RESOURCES**

Upon recommendation of Donald Mahin, Chairman of the Local Government Oversight Committee and Senior Licensed Engineer, Department of Water Resources, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the First Amendment to Agreement Regarding the Purchase of Water Rights Pursuant to the Truckee River Water Quality Settlement Agreement between Washoe County, the City of Reno, the City of Sparks, and Great Basin Land and Water, extending the term of the Agreement by five one-year periods, be approved and Chairman Sferrazza be authorized to execute said First Amendment. It was noted this Amendment retains Great Basin Land and Water as the purchasing agent for the purchase of the water rights.

02-536 **CONNECTION FEE PAYMENT AGREEMENT - CIMARRON WEST, LLC - WATER RESOURCES**

Upon recommendation of John Collins, Manager, Utility Services Division, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Connection Fee Payment Agreement between Washoe County and Cimarron West, LLC, be approved and Chairman Sferrazza be authorized to execute said Agreement. This Connection Fee Payment Agreement relates to Wildhawk Ridge, Phase 5 (aka North Springs Estates), recently acquired out of bankruptcy by Cimarron West, LLC, and provides for collection of the necessary fees to provide for the future additional infrastructure needed to serve this project.

02-537 **FUNDING AGREEMENT- STATE OF NEVADA, DIVISION OF WATER RESOURCES - WATER RESOURCES**

Upon recommendation of Jeanne Ruefer, Manager, Water Resources Planning Division, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, it was ordered that a Funding Agreement between Washoe County and the State of Nevada, Division of Water Resources, be approved and Chairman Sferrazza be authorized to execute said Agreement. The Agreement is for continued grant funding of Floodplain Management Planning with oversight by the Regional Water Planning Commission for the period July 1, 2002 - June 30, 2003. The total grant award included in this Funding Agreement is \$48,900, which represents an increase of \$11,700. The grant match of \$16,300 is provided through in-kind staff time.

02-538 **DISCUSSION/DIRECTION - CONSTRUCTION AND OPERATION OF A REGIONAL ANIMAL SHELTER AND CONSOLIDATION OF ANIMAL CONTROL SERVICES - GENERAL SERVICES**

Tom Gadd, General Services Director, presented his report explaining the process that staff from the three entities, the Humane Society, and consultants followed to determine the type and size of animal shelter facility that is needed, the cost to construct, operate and maintain such a facility, the costs for field operations currently expended by the entities individually, and the projected costs of consolidating the field operations. He stated they have concluded that a 35,300-square foot facility would be needed to meet existing and future growth needs of the community if it is a municipal facility operated solely by the County. If it is done as a public-private partnership with the Nevada Humane Society, a 48,500-square foot facility would be needed. The cost to construct would be approximately \$9.5-million or \$12.5-million respectively, and the Humane Society has committed to donating up to \$2.5-million toward construction costs in the event this goes forward as a public-private partnership.

Mr. Gadd then discussed operation and maintenance costs, noting it was difficult to quantify the numbers, but based on staffing projections for the new facility

and on what the City of Reno currently spends to operate the existing facility, they have concluded that net (after deducting revenue) annual operating costs would be \$1.5-million for a public shelter, and \$1.3-million for a public-private shelter.

In response to Commissioner Galloway, Mr. Gadd stated that, under the proposed public-private partnership, the Humane Society would have its own offices in the facility and would be responsible for the spay-neuter and adoption programs, and there would be no overlapping or duplicative services.

John Sherman, Finance Director, responded to questions concerning the outline of a proposed interlocal agreement, which would have to be worked out among the entities in order to regionalize all animal control services. He noted that an agreement with the Humane Society would also be needed for them to be a partner in the new shelter. Details of combining employees and assets of the entities and levels of service were also discussed, as well as the tax rollbacks by the entities. Commissioner Galloway stated the levels of service should be flexible and there should not be a contractual commitment for coverage hours, especially since the proposal would increase the hours within Reno and Sparks to match the 16 hours a day the County now provides in the unincorporated area, until the actual expenses of doing so are known. Construction of a new facility versus remodeling of an existing building was also discussed, and Mr. Sherman stated that would be examined before bonds are issued.

Chairman Sferrazza expressed his desire that the animal control services and facilities be enterprised and that no general fund monies go into this.

Chairman Sferrazza read supporting comments submitted by area residents Jean Stoess, Charles Jarvi, and Sam Dehne.

Terry Tierney, Washoe County resident, spoke in support of a new animal shelter, but suggested some alternative locations.

Susan Asher, Executive Director of the Nevada Humane Society, thanked the Board for their efforts in bringing the issue this far. She discussed the difficulty of converting an existing building into an animal shelter. Commissioner Galloway pointed out that remodeling an existing building would only be considered if it were more cost effective and still resulted in the kind of facility that is needed.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the Board's preference for a new regional animal shelter would be a public-private partnership located at the Longley Lane site; that, in order to be considered, any other site would have to be clearly superior and made available within the timeframe and at the same costs; that the County operation would be by General Services; and that the County is not committing to spend any money beyond what is available from the tax override approved by the voters.

02-539

**RESOLUTION - DIRECTING NOTICE TO THE DEBT
MANAGEMENT COMMISSION - GENERAL OBLIGATION
BONDS - REGIONAL ANIMAL SHELTER PROJECT**

John Sherman, Finance Director, highlighted significant sections of the proposed Resolution, especially Section 6, which outlines the proposed agreement by the three local entities concerning reducing their operating rates if the tax override is approved by the voters.

Bond Counsel John Swendseid advised they would be able to make the tax reductions mandatory with the language and explanation on the ballot question, as well as the interlocal agreement. Madelyn Shipman, Assistant District Attorney, advised that, when there is an interlocal agreement that consolidates services, the State Tax Department could also force a change in tax rates.

Following further discussion, on motion by Commissioner Galloway, seconded by Commissioner Short, which motion duly carried, it was ordered that the "2002 Washoe County Animal Shelter DMC Notice Resolution" be adopted and Chairman Sferrazza be authorized to execute it on behalf of the Commission. It was noted that the County's ability to actually put the measure on the ballot would depend on having the interlocal agreement between the three entities in place.

RESOLUTION NO. 02-539

A RESOLUTION CONCERNING THE FINANCING OF AN ANIMAL SHELTER PROJECT; DIRECTING THE CLERK OF THE COUNTY TO NOTIFY THE WASHOE COUNTY DEBT MANAGEMENT COMMISSION OF A PROPOSAL TO ISSUE UP TO \$12,500,000 OF GENERAL OBLIGATION BONDS OF THE COUNTY AND TO LEVY A SPECIAL ELECTIVE PROPERTY TAX OF UP TO \$0.03 PER \$100 ASSESSED VALUATION; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the Board of County Commissioners of Washoe County, Nevada (the "Board") is authorized to pursuant to Nevada Revised Statutes ("NRS") § 244.359 and § 244A.019 to acquire, construct, reconstruct, improve and equip a county building project to be used as an animal shelter (the "Animal Shelter Project"); and

WHEREAS, the Board proposes to issue general obligation (limited tax) bonds in the name of and on behalf of the County (the "Bonds") for the Animal Shelter Project and to levy a special elective property tax (the "Tax") to provide funds to operate

and maintain the Animal Shelter Project and to perform related animal control functions;
and

WHEREAS, the Board proposes (subject to the approval of the proposal to issue general obligations and to levy the tax by the Washoe County Debt Management Commission), to seek voter approval pursuant to NRS § 350.020(1) and NRS § 354.5982 of the Bonds and the Tax as described in the following proposal:

GENERAL OBLIGATION (LIMITED TAX) ANIMAL SHELTER BOND AND TAX PROPOSAL:

Shall the Board of County Commissioners of Washoe County, Nevada, be authorized to incur a general obligation indebtedness on behalf of the County by the issuance at one time, or from time to time, of the County's general obligation animal shelter bonds in one series or more, in an aggregate principal amount not to exceed \$12,500,000 to defray wholly or in part the cost of acquiring, constructing, reconstructing, improving and equipping a county building project to be used as an animal shelter (the "Animal Shelter Project"), including, without limitation, real property, structures, fixtures, furniture and equipment therefor and all appurtenances and incidentals necessary, useful or desirable thereto, such bonds to mature serially commencing not later than five (5) years from the date or respective dates of the bonds and ending not later than thirty (30) years therefrom, to be payable from general (ad valorem) taxes and to be issued and sold at, above, or below par at an effective interest rate (including any sale discount) not exceeding the statutory maximum rate, if any, otherwise to be issued in such manner, upon such terms and conditions, with such covenants and agreements, and with such detail as the Board may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to maturity without or with the payment of a premium; and be authorized to impose a special elective property tax in an amount of not to exceed \$0.03 per \$100 assessed valuation for a period of not to exceed 30 years for the purposes of providing funds to operate and maintain the Animal Shelter Project and perform related animal control functions?

(the "Animal Shelter Bond and Tax Proposal" or the "Proposal"); and

WHEREAS, subsection 1 of NRS § 350.014 provides, in relevant part, as follows:

"1. Before any proposal to incur a general obligation debt . . . or levy a special elective tax . . . may be submitted to the electors of a municipality, or before any other formal action may be taken preliminary to the incurrence of any general obligation debt, the proposed incurrence or levy must receive the favorable vote of two-thirds of the members of the commission of the county in which it is situated. . ." and

WHEREAS, subsection 1 of NRS § 350.0245 provides, in relevant part, as follows:

"1. The governing body of the municipality proposing to incur general obligation debt . . . or to levy a special elective tax ... shall notify the secretary of each appropriate commission, and shall submit a statement of its proposal in sufficient number of copies for each member of the commission"

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA:

Section 1. This resolution shall be designated by the short title "2002 Washoe County Animal Shelter DMC Notice Resolution".

Section 2. All actions, proceedings, matters and things heretofore taken, had and done by the Board, and the officers thereof (not inconsistent with the provisions of this Resolution) directed toward the purposes of the above Proposal, be and the same hereby are, ratified, approved and confirmed.

Section 3. The Clerk be, and she hereby is, authorized and, upon the direction of the Finance Director, directed to notify immediately the Secretary of the Washoe County Debt Management Commission (the "Commission Secretary" and the "Commission", respectively) of the Board's Proposal and to submit to said Commission Secretary a statement of the Proposal in sufficient number of copies for each member of the Commission.

Section 4. The Finance Director is hereby authorized and directed, if necessary:

a. To amend the County's statement of current and contemplated general obligation debt, debt management policy and capital improvement plan in accordance with the provisions of this Resolution, and file such amended documents with the Commission and the State Department of Taxation; and

b. On behalf of the County, to determine if there is an "affected governmental entity" as defined in NRS §350.0135(9) and notify

the governing body of any affected entity of the Proposal, the estimated amount the Proposal would increase property taxes, and the potential effect of the increase on the entity.

Section 5. In order for the County to reimburse itself for expenditures relating to the Animal Shelter Project with the proceeds of the Bonds, the Board hereby determines and declares as follows:

a. the County reasonably expects to incur expenditures with respect to the Animal Shelter Project and to reimburse those expenditures from the issuance of Bonds; and

b. the maximum principal amount of Bonds expected to be used to reimburse such expenditures is \$12,500,000.

Section 6. Upon approval of the Proposal by the voters of the County and the commencement of the levy of the Tax or the property tax to support the payment of the Bonds, the City Council of the City of Reno, the City Council of the City of Sparks (collectively, the "Cities") and the Board, on May 21, 2002, agreed to reduce their respective operating rates as follows:

a. The Cities - \$0.02 per \$100 of assessed value within the respective boundaries of each of the Cities; and

b. The County - \$0.01 per \$100 of assessed value within the boundaries of the County.

Section 7. All resolutions, or parts thereof, in conflict with the provisions of this Resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, or part thereof, heretofore repealed.

Section 8. If any section, paragraph, clause or other provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Resolution.

Section 9. This Resolution shall become effective and be in force immediately upon its adoption.

02-540

**RESOLUTION OF INTENT - SET A PUBLIC HEARING -
GENERAL OBLIGATION OFFICE BUILDING BONDS -
DISTRICT ATTORNEY'S OFFICE**

John Sherman, Finance Director, was present to respond to questions. On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Resolution be adopted and Chairman Sferrazza be authorized to execute it on behalf of the Commission:

RESOLUTION NO. 02-540

A RESOLUTION OF INTENT, PROPOSING THE ISSUANCE OF, AND AUTHORIZING THE PUBLICATION OF NOTICES RELATING TO GENERAL OBLIGATION (LIMITED TAX) OFFICE BUILDING BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES) SERIES 2002 FOR THE PURPOSE OF FINANCING THE DISTRICT ATTORNEY'S OFFICE BUILDING PROJECT FOR THE COUNTY (NOT TO EXCEED \$20,000,000); PROVIDING THE MANNER, FORM AND CONTENTS OF THE NOTICE THEREOF; RATIFYING ACTION HERETOFORE TAKEN NOT INCONSISTENT HERewith; PROVIDING OTHER MATTERS PROPERLY RELATED THERETO; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, Washoe County in the State of Nevada (the "County" and the "State", respectively) is a county duly organized and created under the provisions of Nevada Revised Statutes ("NRS") Section 243.340; and

WHEREAS, the County pursuant to NRS §§ 244A.011 to 244A.065, inclusive (the "County Bond Law"), is authorized to acquire, construct, improve, and equip building projects within the County, including public buildings to accommodate or house lawful county activities including, without limitation, records, county personnel, administrative and attorneys' offices and county equipment, as provided in NRS 244A.019 (the "Project"); and

WHEREAS, the Board of County Commissioners of the County (the "Board") pursuant to the County Bond Law, chapter 350 of NRS and all laws amendatory thereof which includes the Local Government Securities Laws, being NRS §§ 350.500 through 350.720 and all laws amendatory thereof, is authorized to borrow money and to issue general obligation bonds of the County for the purpose of defraying wholly or in part the cost of the Project; and

WHEREAS, the Board proposes to issue up to \$20,000,000 of general obligation bonds of the County (the "Bonds") for the Project; and

WHEREAS, such Bonds will be additionally secured by a pledge of certain of the consolidated tax revenues received by the County pursuant to NRS 377.080 (the "Pledged Revenues"); and

WHEREAS, based on the following revenue study prepared with the assistance of the County's staff, the Board has determined and does hereby determine that the "Pledged Revenues" will at least equal the amount required in each year for the payment of interest and principal on the Bonds:

(Revenue Study placed on file with the Clerk)

WHEREAS, the Board proposes to incur this general obligation without an election unless a petition signed by the requisite number of registered voters of the County who together with any corporate petitioners represent the requisite assessed value of the taxable property of the County is presented to the Board requiring the Board to submit to the qualified electors of the County for their approval or disapproval the following proposal:

GENERAL OBLIGATION OFFICE BUILDING BONDS ADDITIONALLY SECURED BY PLEDGED REVENUES PROPOSAL:

Shall the Board of County Commissioners of Washoe County in the State of Nevada, be authorized to incur a general obligation indebtedness on behalf of the County by the issuance at one time, or from time to time, of the County's general obligation (limited tax) office building bonds, in one series or more, in the aggregate principal amount of not exceeding \$20,000,000 for the purpose of financing, wholly or in part, the acquisition, construction, improvement and equipment of building projects, including public buildings to accommodate or house lawful county activities including, without limitation, records, county personnel, administrative and attorneys' offices and county equipment, as provided in NRS 244A.019, the bonds to mature commencing not later than five (5) years from the date or respective dates of the bonds and ending not later than thirty (30) years therefrom, to bear interest at a rate or rates not in excess of the statutory maximum rate in effect at the time bonds are sold, to be payable from general (ad valorem) taxes (except to the extent pledged revenues and other moneys are available

therefor), and to be issued and sold at par, or below or above par, and otherwise in such manner, upon such terms and conditions, and with such other detail as the Board may determine, including at its option but not necessarily limited to provisions for the redemption of bonds prior to maturity without or with the payment of a premium?

(the "Proposal"); and

WHEREAS, pursuant to Sections 350.011 to 350.0165, inclusive, Nevada Revised Statutes ("NRS"), the Board has submitted the Proposal to the Debt Management Commission of Washoe County (the "Commission"); and

WHEREAS, the Commission has heretofore approved the Proposal; and

WHEREAS, subsection 3 of NRS § 350.020 in effect provides that if the payment of a general obligation of the County is additionally secured by a pledge of the revenues of a project to be financed by its issue, and the governing body (i.e., the Board) determines that the pledged revenues will at least equal the amount required in each year for the payment of interest and principal, the County may incur the general obligation without an election, unless a petition requesting an election signed by 5% of the registered voters in the County is presented to the Board within 90 days after the publication of a notice of the adoption of this resolution of intent; and

WHEREAS, Subsection 3 of NRS § 350.020 also requires that a public hearing be held before the Bonds are issued.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, NEVADA:

Section 1. This resolution shall be known as and may be cited by the short title "Resolution of Intent to Issue 2002 District Attorney's Office Building Bonds" (this "Resolution").

Section 2. All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Board and the officers of the Board directed:

- (a) Toward the Project to be financed by the Bonds; and
- (b) Toward the issuance of the Bonds to defray, in part, the cost thereof, be, and the same hereby is, ratified, approved and confirmed.

Section 3. The County and the officers of the County be, and they hereby are, authorized and directed to publish a notice of the adoption of the resolution of

intent relating to the Board's proposal to issue the Bonds in a newspaper of general circulation in the County, at least once, such notice to be published in substantially the form as placed on file with the Clerk.

Section 4. The County Clerk is authorized and directed to publish once, at least 10 days before the date of the public hearing described in the notice, in a newspaper of general circulation in the County a notice of public hearing, at least as large as 5 inches high by 4 inches wide, in substantially the form as placed on file with the County Clerk.

Section 5. A public hearing on the Bonds is hereby ordered to be held before the Board at the time, date and place specified in the notice set forth in Section 4 hereof, or as otherwise specified by the Director of Finance of the County.

Section 6. The Finance Director of the County or his designee is hereby authorized to arrange for the issuance and public sale of the Bonds, in one or more series, in a total principal amount of not more than \$20,000,000 to carry out the Project in accordance with NRS 350.500 to 350.720, inclusive (the "Bond Act").

Section 7. The Finance Director of the County or his designee is hereby authorized to specify the terms of the Bonds, the final principal amount of the Bonds (not in excess of \$20,000,000), the terms of their repayment and security therefor, and other details of the Bonds, subject to the Bond Act and ratification by the Board by the adoption of a bond ordinance or ordinances specifying the Bond terms and details and approving their sale (the "Bond Ordinances"). The Finance Director of the County or his designee shall, after arranging for the public sale of the Bonds, present the proposed terms of the sale to the Board for its approval by adoption by the Board of the Bond Ordinances.

Section 8. The officers of the Board are hereby authorized to take all action necessary or appropriate to effectuate the provisions of this Resolution, including without limitation (a) assembling of financial and other information concerning the Board, the Lending Project and the Bonds, and (b) preparing and circulating an official statement for the Bonds, and, if deemed appropriate by the Finance Director or his designee, preparing and circulating a preliminary official statement, a notice of bond sale for the Bonds, or both, in the forms specified by the Finance Director or his designee. The Finance Director or his designee is authorized to deem the official statement or preliminary official statement to be a "final" official statement on behalf of the Board and the County for the purposes of Rule 15c2-12 of the Securities and Exchange Commission.

Section 9. The Bonds, in the event no petition is filed during the period allowed by NRS § 350.020(3), shall be authorized by an ordinance or ordinances to be effective after the expiration of the above specified 90-day period after publication.

Section 10. The authority to issue the Bonds designated in the Proposal set forth in the notice shall be deemed and considered a continuing authority to issue and deliver the Bonds designated in such Proposal at one time or from time to time, in one series or in more than one series, all as ordered by the Board. Neither the partial exercise of the authority so conferred nor the lapse of time shall be considered as exhausting or limiting the full authority so conferred.

Section 11. The officers of the Board be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this resolution.

Section 12. All resolutions, or parts thereof, in conflict with the provisions of this resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be constructed to revive any resolution, or part thereof, heretofore repealed.

Section 13. If any section, paragraph, clause or other provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this resolution.

Section 14. This resolution shall become effective and be in force immediately upon its adoption.

02-541 BILL NO. 1342 - SPECIAL ASSESSMENT DISTRICT NO. 24
(GROUNDWATER REMEDIATION) 2002 FEE ORDINANCE

Steve Bradhurst, Director, Department of Water Resources, stated that, pursuant to Board direction on May 21, 2002, staff will present two options for the Board to consider for the proposed District No. 24, Groundwater Remediation, Fee Ordinance.

Jim Ford, Remediation District Program Manager, conducted a Power-Point presentation displaying charts, graphs, and maps. Mr. Ford stated the object of the District is to protect groundwater for its current municipal, industrial and domestic uses, as well as to protect the non-contributing property owners from liability. He reviewed the statutory requirements of NRS 540A regarding fees and benefits as well as the maps of the contaminated areas, stating there is a very wide-spread plume affecting both shallow and deep groundwater.

Mr. Ford then described the components of the draft remediation plan and associated budget, which include continued wellhead treatment of the contaminated production wells, management of the 13-square mile low concentration plume area, active remediation of source areas, and expansion of the community outreach program.

Mr. Ford discussed the three benefit groups, how they are benefited, and the proposed fees for each group. He emphasized that, besides the main benefit of having

clean drinking water, properties are benefited by protection of property values and protection from liability.

Commissioner Shaw noted that, under Option 1, Benefit Group "B" has been paying approximately \$20.00 per year and that fee would be increased about \$11.00. He asked how this would be explained to the citizens. Mr. Ford responded this fee is charged on the property tax bills; there will be a telephone number for people to call on the bill, as well as the website information; and staff will be going out to all the CAB's and NAB's to explain the program. Commissioner Galloway stated that, in the past, the people have been paying to get clean water; and now they will be paying for the actual remediation to clean up the PCE.

Frank Partlow, area citizen, complimented staff for their hard work and an excellent report. He discussed Attachment "G" concerning property values and stated these fees are a pittance compared to what could happen to property values for residents or businesses that sit on top of a contamination zone. He stated he was very disappointed in the Cities for opposing this and pointed out that remediation has to start in order to satisfy federal law.

Wayne Seidel, City of Sparks Public Works, stated the request for funding the remediation plan is premature because the District Health Department and the Nevada Department of Environmental Protection have not yet approved the plan. He further stated the boundary expansion, which encompasses everything in the McCarran loop, is based on very preliminary data. Mr. Seidel stated the proposed 200- and 400-percent increases are not justified; and this will adversely impact the commercial, tourist and industrial cores. He also said the public information process has not been done and many residents will be surprised when they get their tax bill. Mr. Seidel stated the County should take the additional six to nine months that would be needed to get the remediation plan approved by all the required agencies and finalize the costs.

Terri Shannon, Northern Nevada Mt. Rose Water, stated the remediation area being discussed does overlap with another remediation area, which is the shortage of water in the South Truckee Meadows and the impacts on private, domestic wells. She urged the Board to postpone their decision until all the facts are known.

Madelyn Shipman, Assistant District Attorney, explained this item is pursuant to specific statutory direction by both the State and the District Health Department and it does not involve the private wells in the South Truckee Meadows. Ms. Shannon stated she was also concerned about the groundwater wells in the Truckee Meadows Water Authority (TMWA) system.

Mr. Ford stated the draft remediation plan has not been released yet because staff just received it from the consultants; and, as soon as staff has had time to review it, it will be presented to the Board sometime in June. He advised the draft plan will then be sent to the other interested agencies; the public information meetings will begin; and they will then develop a final plan. When the final plan is ready, it will be

sent to the Nevada Department of Environmental Protection (NDEP) for their approval. He also noted that since NDEP has been involved in this process from the beginning, there should be no surprises in the plan; and he does not anticipate any problems.

Commissioner Galloway asked if anything had been received from NDEP regarding remediation. Mr. Ford stated NDEP has sent a letter stating that the requirements for any plan approval will have to include some active remediation and that wellhead treatment, in and of itself, is not an acceptable plan. Commissioner Galloway noted the indication from NDEP is that the County has spent several years without doing any actual remediation, and it is now time to begin that part of the process.

Chairman Sferrazza asked about the health affects of consuming PCE. Mr. Ford advised there are forms of leukemia that have occurred in populations exposed to PCE. Referencing what is happening in Fallon, Nevada, and what could happen to property values if the remediation is not done, the Chairman stated he believes it would be very irresponsible to delay another year.

Commissioner Galloway moved that staff be directed to proceed with Option 1 for the new fees. Commissioner Shaw seconded the motion; and, upon call for the vote, the motion carried unanimously.

Bill No. 1342, entitled, "**AN ORDINANCE CONCERNING THE WASHOE COUNTY, NEVADA DISTRICT NO. 24 (GROUNDWATER REMEDIATION); PROVIDING FOR THE PAYMENT OF A PORTION OF THE COSTS OF DEVELOPING AND CARRYING OUT A PLAN FOR REMEDIATION; IMPOSING A FEE TO PAY SUCH COSTS ON THE PARCELS OF LAND IN SUCH DISTRICT NO. 24; DESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF THE FEE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN DIRECTED TOWARD THOSE PURPOSES; AND PRESCRIBING OTHER MATTERS RELATING THERETO**" was introduced by Commissioner Galloway with direction to staff to proceed with Option 1 of the proposed fees; the title read was to the Board; and legal notice for final action of adoption was directed.

02-542 STATUS REPORT - VACANT SEVENTH BOARD MEMBER - TRUCKEE MEADOWS WATER AUTHORITY

Malyn Malquist, Truckee Meadows Water Authority General Manager, described the process for appointment to the TMWA Board and the difficulty the Board has had determining how to fill the seventh seat.

Noting that TMWA does not come under the jurisdiction of the Public Utilities Commission, Commissioner Galloway suggested the seventh person should be a consumer advocate position. Mr. Malquist stated the cooperative agreement would need to be changed in order to do that, but he agrees it is a good idea and he will present it to the TMWA Board.

02-543

SIERRA COURTS BUILDING PROGRAM DOCUMENT - PUBLIC WORKS

Richard Gammick, District Attorney and Co-Chairman of the Sierra Courts Building Steering Committee, advised the Committee has reviewed the project plan for the Sierra Courts Building (the joint Reno Municipal Court/District Attorney's Office) and is recommending approval of the plan, subject to budgetary considerations. He stated an initial budget plan would be available in approximately two weeks.

Chairman Sferrazza asked if the proposed fitness center was an appropriate facility for a public building in light of the current budget problems. Mr. Gammick stated approximately 400 square feet have been allocated for a fitness center and showers have been requested in the restrooms. He stated he has 19 P.O.S.T. certified peace officers, who have to maintain a certain measure of physical fitness; and the work his staff does is very stressful. Mr. Gammick further stated he does not intend to furnish the fitness center with public money, and he will be seeking grants or donations for the equipment. He said industry has learned over the last 20 years that keeping people in good physical condition reduces stress and sickness. Chairman Sferrazza asked if the facility would be available to other County employees. Mr. Gammick responded that 400 square feet is not a very large area and would not be able to accommodate a lot of people.

Commissioner Short asked how many stories are planned. Mr. Gammick stated the current design calls for eight stories, with the eighth floor being a half floor; the first three floors will be for Reno Municipal Court; and they are building for future expansion.

Upon recommendation of the Sierra Courts Building Steering Committee, on motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried with Chairman Sferrazza voting "no," it was ordered that the program document for the Sierra Courts Building be approved subject to financial constraints and no public funds being spent on any exercise equipment or for furnishing the fitness center.

Chairman Sferrazza stated he could not vote for the fitness center, as he would rather see the County solicit bids from the local fitness centers for preferred rates for County employees instead of providing such space in public facilities.

02-544

CLASSIFICATION OF NEW POSITIONS - HUMAN RESOURCES

Upon recommendation of Joanne Ray, Human Resources Director, on motion by Commissioner Shaw, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that the following classifications for two new positions be approved. It was noted that these positions are funded through a grant from the Division of Aging Services.

Department	Current Position	Date of Request	Recommended Class	Pay Grade
Information Technology	New Position	Approved by BCC on 1/8/02	IT Project Coordinator II	Q (R)
Information Technology	New Position	Approved by BCC on 1/8/02	Senior IT Systems Developer	P

02-545 DELEGATION OF SIGNATURE AUTHORITY TO DEPARTMENT HEADS TO ENTER INTO NON-PAID EDUCATIONAL INTERNSHIPS - HUMAN RESOURCES

Upon recommendation of Joanne Ray, Human Resources Director, on motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that signature authority be delegated to department heads to enter into non-paid internship agreements with educational institutions, upon review by the Risk Manager, Human Resources Director and District Attorney's office.

02-546 AMENDED FY2003/2007 CAPITAL IMPROVEMENTS PROGRAM

Katy Singlaub, County Manager, advised this item is pursuant to Board direction that the amount of leased space be reduced; and staff has done an analysis of current lease costs, which is attached to the agenda memorandum. She stated the biggest savings in lease costs would come from the Water Resources Department, but that Department is operated as an enterprise fund, so that would not be a savings to the General Fund. Ms. Singlaub also stated staff has been working with the City of Sparks concerning combining the Sparks Municipal Court and the Sparks Justice Court, but that project is not ready to be included in the plan.

Chairman Sferrazza stated that, although Water Resources is a separate fund, the County still has the responsibility to manage it as inexpensively as possible.

Kim Carlson, Senior Fiscal Analyst, stated, if it is the Board's desire that the Longley Lane Office Complex be moved up in priority on the Capital Improvements Program list, staff could look at appropriating money in the 2003/04 budget to start planning and design and to determine how to finance it. Ms. Singlaub noted the many recent lease agreements the County has entered into and advised terminations of some of those were planned to coincide with construction of new facilities.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that design of the Longley Lane Office Building/Warehouse Project be moved up to year two (FY2003/2004) and the Sparks Justice Facility be moved up to year three (FY2004/2005) of the FY 2002-2007 Capital Improvements Program, provided the economic outlook improves. Commissioner Galloway noted that, if the financial picture does not improve

significantly, the projects can be delayed. It was further ordered that staff be directed to continue to analyze these and other projects that could reduce future lease costs and address the issue in next year's update of the five-year Capital Improvements Program.

02-547 AWARD OF BID - LEMMON VALLEY WATER SYSTEM IMPROVEMENTS, PROJECT 3 - PUBLIC WORKS

This was the time to award the bid for construction of the Lemmon Valley Water System Improvements, Project 3, PWP-WA-2002-74, for the Utility Services Division of the Department of Water Resources. The Notice to Contractors for receipt of sealed proposals was published in the *Reno Gazette-Journal* on April 12, 17, 19, 24, and 26, and May 1, and 3, 2002. Proof was made that due and legal Notice had been given.

Following is a summary of the bid results:

Mike's Trenching	\$618,254.80
Horizon Construction	\$626,051.80
West Coast Contractors	\$694,043.63
Gerhardt and Berry	\$696,481.30
Schauer Excavation	\$726,157.30
A&K Earthmovers	\$767,757.00
Ledcor Industries	\$793,584.60
Peavine Construction	\$821,880.80
Interstate Utilities	\$844,760.00
Engineer's Estimate	\$790,000.00

Upon recommendation of John Collins, Manager, Utility Services Division, and Paul Orphan, Senior Utility Engineer, through Steve Bradhurst, Director, Department of Water Resources, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the bid for construction of the Lemmon Valley Water System Improvements, Project 3, PWP-WA-2002-74, be awarded to Mike's Trenching, the lowest responsible, responsive bidder, in the amount of \$618,254.80 and Chairman Sferrazza be authorized to execute the contract documents when presented.

02-548 AWARD OF BID - SOUTH VALLEYS LIBRARY - PUBLIC WORKS

This was the time to award the bid for the South Valleys Library project, PWP-WA-2002-81, on behalf of the Public Works Department. The Notice to Contractors for receipt of sealed proposals was published in the *Reno Gazette-Journal* on April 17 and 24, and May 1, 2002. Proof was made that due and legal Notice had been given.

Following is a summary of the bids received for the base bid plus add alternates 1 and 2:

American General	\$2,794,500.00
Bison Construction	\$2,841,500.00
Northern Sierra	\$2,761,442.00
United Construction	\$2,796,095.00
West Coast Contractors	\$2,681,618.00

Upon recommendation of Anthony McMillen, Licensed Engineer, through Dave Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the bid for the South Valleys Library project, PWP-WA-2002-81, be awarded to the low, responsive, responsible bidder, West Coast Contractors, for the base bid of \$2,659,434.00, plus additive alternate one for an exterior plaza in the amount of \$17,833.00, and additive alternate two for an exposed steel entry plaza in the amount of \$4,351.00, for a total of \$2,681,618. It was further ordered that Chairman Sferrazza be authorized to execute the contract documents upon presentation.

02-549 AWARD OF BID - COURTS COMPLEX SHERIFF'S DEPARTMENT LOCKER ROOM REMODEL - PUBLIC WORKS

This was the time to award the bid for the "Courts Complex Sheriff's Department Locker Room Remodel" project, PWP-WA-2002-152, on behalf of the Public Works Department. The Notice to Contractors for receipt of sealed proposals was published in the *Reno Gazette-Journal* on April 10 and 17, 2002. Proof was made that due and legal Notice had been given.

Following is a summary of the bid results:

<u>Contractor</u>	<u>Base Bid</u>	<u>Deductive Alternate B</u>
K7 Construction	\$229,990.00	(\$2,960.00)
KW Western	\$279,000.00	(\$2,000.00)
Northern Sierra Const.	\$286,527.00	(\$9,000.00)
United Construction	\$272,800.00	(\$4,600.00)

Upon recommendation of David Solaro, Architect, through Dave Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the bid for the "Courts Complex Sheriff's Department Locker Room Remodel" project, PWP-WA-2002-152, be awarded to the low, responsive, responsible bidder, United Construction Company, in the amount of \$268,200.00, for the base bid, declining add alternate A and accepting deductive Alternate B. It was further ordered that Chairman Sferrazza be authorized to execute the contract documents upon presentation.

It was noted that K7 Construction was the apparent low bidder at the time of bid opening; however, they failed to submit the required two hour subcontractor

listing, and are, therefore, deemed not responsive in accordance with the contract documentation.

02-550 AWARD OF BID - 2002/2003 PAVING OF SELECTED PAVED STREETS IN WASHOE COUNTY, NEVADA, - PUBLIC WORKS

This was the time to award the bid for the 2002/2003 Paving of Selected Paved Streets in Washoe County, Nevada, PWP-WA-2002-197, on behalf of the Public Works Department. The Notice to Contractors for receipt of sealed proposals was published in the *Reno Gazette-Journal* on May 1 and 8, 2002. Proof was made that due and legal Notice had been given.

Following is a summary of the bid results:

	Granite Construction	SNC	Frehner	Q & D	Atlas
Base Bid	\$1,306,078.00	\$1,405,343.00	\$1,445,092.00	\$1,510,308.00	\$1,680,646.60
Add Alt 1	13,607.00	14,466.00	18,092.00	16,470.00	19,440.00
Add Alt 2	82,448.00	85,250.00	95,092.00	94,383.00	104,973.00
Add Alt 3	92,361.00	101,948.00	112,092.00	105,322.25	106,028.00
Add Alt 4B	227,331.00	304,500.00	(no bid)	247,950.00	(no bid)
Total	\$1,721,825.00	\$1,911,507.00	\$1,670,368.00	\$1,974,433.25	\$1,911,087.60

Upon recommendation of Greg Belancio, Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the bid for the 2002/2003 Paving of Selected Paved Streets in Washoe County, Nevada, PWP-WA-2002-197, be awarded to the low, responsive and responsible bidder Granite Construction Company, Inc., for the Base Bid and Alternates Nos. 1, 2, 3 and 4B only, in the amount of \$1,721,825.00. It was further ordered that Chairman Sferrazza be authorized to execute the contract documents when presented.

02-551 AGREEMENT - AMEC EARTH & ENVIRONMENTAL, INC. - TESTING AND INSPECTION SERVICES FOR THE 2002/2003 PAVING OF SELECTED PAVED STREETS PROJECT - PUBLIC WORKS

Upon recommendation of Greg Belancio, Engineering Division, through Dave Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Agreement for Testing and Inspection Services for the 2002/2003 Paving of Selected Paved Streets in Washoe County, Nevada (PWP-WA-2002-197) between Washoe County and Amec Earth & Environmental, Inc., in the estimated amount of \$77,030.25, be approved and Chairman Sferrazza be authorized to execute the Agreement on behalf of Washoe County.

02-552

**AGREEMENT - FORENSIC PATHOLOGY SERVICES DIVISION,
SIERRA PATHOLOGY ASSOCIATES - CORONER**

Upon recommendation of Vern McCarty, Washoe County Coroner, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the two-year Agreement for Services of Pathologists between Washoe County and Forensic Pathology Services Division, Sierra Pathology Associates, concerning autopsy, histopathology, and forensic services, be approved and Chairman Sferrazza be authorized to execute the Agreement on behalf of Washoe County. It was noted the total contract cost is \$214,568 for fiscal year 2002/03 and \$223,151 for fiscal year 2003/04; and, if the total number of autopsies exceeds 350 in each year, the additional costs per autopsy will be \$613 for the first year and \$638 for the second year.

02-553

**SUBLEASE AGREEMENT - WELLS FARGO BANK OF NEVADA,
N.A. - LIBERTY WEST HOLDINGS, LLC - DISTRICT
ATTORNEY - GENERAL SERVICES**

Upon recommendation of Tom Gadd, General Services Director, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Sublease Agreement between Washoe County (SubLessee) and Wells Fargo Bank of Nevada N.A. (SubLessor) and a Consent and Agreement Regarding SubLease between Washoe County, Liberty West Holdings, LLC, and Wells Fargo Bank of Nevada, N.A. concerning subleasing office space for the District Attorney for a thirty-seven (37) month term commencing June 1, 2002, and for such other terms and conditions as stated therein, be approved and Chairman Sferrazza be authorized to execute the Agreement on behalf of Washoe County. It was further ordered that the following interfund transfers be approved and the Comptroller be directed to make the necessary adjustments:

Account	Description	Increase	Decrease
1611-7865	General Services-Improvements	\$254,317	
1084-7381	IT-fiber lease	\$ 27,000	
920331-7872	Public Works Fund - Tenant Improvements		\$281,317

02-554

**COMPROMISE AND SETTLEMENT AGREEMENT - PUBLIC
GUARDIAN - DISTRICT ATTORNEY**

On motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Compromise and Settlement Agreement involving a lawsuit against Washoe County concerning the Public Guardian's Office be approved and that Chairman Sferrazza be authorized to execute the Agreement on behalf of Washoe County.

**02-555 PROFESSIONAL SERVICES CONTRACT - HERSHENOW +
KLIPPENSTEIN, LTD. - INCLINE VILLAGE LIBRARY - PUBLIC
WORKS**

Upon recommendation of Don Jeppson, Public Works Project Coordinator, through Dave Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Galloway, which motion duly carried, it was ordered that the Agreement for Architectural Services between Washoe County and Hershenow + Klippenstein, Ltd., concerning architectural services for the Incline Village Library, in the amount of \$300,000, be approved and Chairman Sferrazza be authorized to execute the Agreement on behalf of Washoe County.

**02-556 EXPANSION - TEMPORARY EMERGENCY SHELTER
CAPACITY - KIDS KOTTAGE - SOCIAL SERVICES**

Upon recommendation of Mike Capello, Director, Social Services Department, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Sferrazza ordered that the Department of Social Services be authorized to pursue the lease of a 27-foot wide by 66-foot long modular home to add temporary emergency shelter capacity for the Kids Kottage Campus.

**02-557 RESOLUTION - AUTHORIZING INTERFUND LOAN - GENERAL
FUND TO HEALTH FUND - FINANCE**

Upon recommendation of Darin Conforti, Senior Fiscal Analyst, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Resolution authorizing an interfund loan in an amount not to exceed \$750,000, on an as-needed basis for fiscal year 2001/02 be approved and Chairman Sferrazza be authorized to execute the Resolution:

RESOLUTION

**A RESOLUTION AUTHORIZING INTERFUND LOAN
GENERAL FUND (001) TO HEALTH FUND (002)**

WHEREAS, the General Fund of the County (Fund 001) has sufficient cash resources to finance a short-term interfund loan in an amount not to exceed \$750,000 without adversely affecting its cash need; and

WHEREAS, the Health Fund (Fund 002) is in need of a short-term cash loan to cover a temporary cash flow problem due to some late payments due from State and Federal Contributions;

**NOW THEREFORE, BE IT RESOLVED BY THE WASHOE
COUNTY BOARD OF COMMISSIONERS:**

Section 1. The County Comptroller is hereby directed to make transfers on an as needed not to exceed \$750,000 from the General Fund (001) to the Health Fund (002) to cover a temporary cash flow problem.

Section 2. The cash interfund transaction for this loan is as follows:

		<u>Amount</u>	
		<u>Debit</u>	<u>Credit</u>
<u>General Fund</u>			
Due from Health Fund	(Acct. 001-0000-1302)	\$750,000	
Cash	(Acct. 001-0000-1001)		\$750,000
<u>Health Fund</u>			
Cash	(Acct. 002-0000-1001)	\$750,000	
Due to General Fund	(Acct. 002-0000-2601)		\$750,000

Section 3 The term of this interfund loan shall be six months, commencing on the day of the first transfer, to be repaid on or before six calendar months.

Section 4. There shall be no interest on this interfund loan.

Section 5. This resolution shall be effective on passage and approval.

Section 6. The County Clerk is hereby directed to distribute copies of the Resolution to the Department of Taxation, the Comptroller, the Health Department and the Budget Division.

02-558 DISCUSSION/DIRECTION - CREATION OF UNINCORPORATED TOWN(S) - FINANCE

Darin Conforti, Senior Fiscal Analyst, advised staff is seeking Board direction on formation of an unincorporated town(s) relating to creating an unincorporated municipal services tax structure question for the November, 2002, ballot. He stated the boundaries need to be defined in order to determine which residents would vote on the question, as only those within the proposed boundaries would be eligible to vote on the issue. He then reviewed the three possible boundary configurations staff analyzed: 1) a single unincorporated town encompassing the entire unincorporated area of the County, 2) a contiguous suburban unincorporated town encompassing the area of the unincorporated County where most of the population resides, or 3) multiple unincorporated towns. Mr. Conforti stated staff's recommendation would be to create a single unincorporated municipal services town that would encompass a preponderance of populated areas, such as including everything south of Warm Springs.

Commissioner Bond moved that staff's recommendation be approved. The motion was seconded by Commissioner Short. Commissioner Galloway stated he would support the motion with the understanding that this is just a vehicle to allow the

Board to put the question before the voters. Chairman Sferrazza asked whether this could be conditional on the Cities rolling back their Spheres of Influence.

Madelyn Shipman, Assistant District Attorney, stated a ballot question going to the unincorporated residents only cannot guide the Cities; and this question is advisory only. John Sherman, Finance Director, provided more details on the process and procedures relating to ballot questions, stating that including a sphere rollback could only be done as an advisory question; and, if it is done that way, the Board would not have the statutory authority to create the unincorporated town, unless there were two separate questions.

Commissioner Galloway suggested that a binding question concerning creation of the unincorporated municipal services tax and an advisory question asking the voters if they would support an unincorporated tax in the same area if the spheres of influence are rolled back be put on the ballot. Chairman Sferrazza asked if the advisory question could be County-wide, so the residents living in the City could also vote on it. Commissioner Galloway stated the Board would still need to know how the unincorporated residents voted on the County-wide question.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that staff be directed to draft the following ballot questions:

1. Binding question for the unincorporated residents within the municipal services boundaries: Would you support a municipal services tax?
2. Advisory question for all unincorporated residents: Would you support the municipal services tax if the spheres are rolled back to the compromise proposal?
3. Advisory question for the incorporated residents: Would you support rolling back the spheres if the tax was approved?

**02-559 DISCUSSION/DIRECTION - POSSIBLE LEGAL ACTION -
REGIONAL PLAN UPDATE**

Following discussion, on motion by Commissioner Galloway, seconded by Commissioner Bond, which motion duly carried, it was ordered that direction to staff regarding alternatives for possible legal action in response to the Regional Plan Update adoption be continued to June 11, 2002.

**02-560 DISCUSSION/DIRECTION - ADOPTED 2002 REGIONAL PLAN -
COMMUNITY DEVELOPMENT**

Commissioner Galloway advised that he understands there is a proposal to bring an annexation, similar to the Verdi process, for the entire Ballardini Ranch before

the City of Reno in June; and the current regional plan puts half of the Ballardini Ranch outside of the municipal services area. He asked whether the current regional plan was such that the Ranch could not be subdivided even if it was annexed into the City.

Madelyn Shipman, Assistant District Attorney, stated the City of Reno annexation ordinance translates the County zoning to one dwelling unit per two and a half acres, but in order to meet the District Health Department regulations for septic systems, Reno would have to create a new zoning ordinance of a minimum of one dwelling unit per five acres. She further stated it was her understanding that is what they are planning to do.

Gary Schmidt, Washoe County citizen, requested that the Commissioners direct staff to put an item on the Regional Planning Commission and Regional Planning Governing Board agendas to expedite a finding of conformance regarding the Mt. Rose Sewer Interceptor.

5:20 p.m. The Board recessed.

5:45 p.m. The Board reconvened. Members Bond, Galloway, Shaw, and Short were present. Chairman Sferrazza was not yet present and Vice Chairman Bond assumed the gavel.

02-561 ORDINANCE NO. 1163 - BILL NO. 1341 – FINAL DEVELOPMENT AGREEMENT CASE NO. DA12-4-98 – GEORGE STINSON

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on May 17, 2002 to consider second reading and adoption of Bill No. 1341. Proof was made that due and legal Notice had been given.

Vice Chairman Bond opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

5:46 p.m. Chairman Sferrazza returned to the meeting and assumed the gavel.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Sferrazza ordered that Ordinance No. 1163, Bill No. 1341, entitled, "**AN ORDINANCE PURSUANT TO NEVADA REVISED STATUTES 278.0201 THROUGH 278.0207 APPROVING THE FINAL DEVELOPMENT AGREEMENT FOR GEORGE W. STINSON. THE AGREEMENT FACILITATES THE DEVELOPMENT OF A ±40.04-ACRE SITE INTO FOUR PARCELS, EACH 10 ACRES IN SIZE. THE PROPERTY IS DESIGNATED MEDIUM DENSITY RURAL (MDR) AND GENERAL RURAL (GR) IN THE WARM SPRINGS SPECIFIC PLAN AND IS WITHIN A PORTION OF THE NW/4 OF SECTION 15, T22N, R21E, MDM, WASHOE COUNTY,**

NEVADA, (APN: 077-130-14)" be approved, adopted and published in accordance with NRS 244.100.

**02-562 OUTDOOR FESTIVALS BUSINESS LICENSE APPLICATION -
RENO-TAHOE OPEN 2002 – COMMUNITY DEVELOPMENT**

5:30 p.m. This was the time set in a Notice of Public Hearing published in the *Reno Gazette-Journal* on May 17, 2002 to consider the application for an outdoor festivals business license for the Reno-Tahoe Open 2002 Golf Tournament. The Reno-Tahoe Open 2002 is to be held on August 19-25, 2002. The event is proposed to be held at the Montreux Golf and Country Club (Assessor's Parcel Numbers 148-061-65, 148-100-02, 148-010-31 and 32, and 148-140-11) with additional offsite parking located on a vacant parcel generally located south of the intersection of State Route 431 and Wedge Parkway (Assessor's Parcel Number 144-070-03). Tournament volunteer staff will be parking at Galena High School (Assessor's Parcel Number 144-010-01).

Chairman Sferrazza opened the public hearing and called on anyone wishing to speak. There being no response, the public hearing was closed.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that the application for an outdoor festivals business license for the Reno-Tahoe Open 2002 Golf Tournament to be held August 19-25, 2002 at the Montreux Golf and Country Club be approved, subject to the following conditions:

**LICENSING REQUIREMENTS FOR AN OUTDOOR FESTIVALS
BUSINESS LICENSE
RENO-TAHOE OPEN 2002 GOLF TOURNAMENT**

AT THE PUBLIC HEARING HELD ON MAY 28, 2002 AS REQUIRED UNDER WASHOE COUNTY CODE §25.277, THE WASHOE COUNTY BOARD OF COMMISSIONERS (BOARD) ESTABLISHED CONDITIONS WHICH MUST BE MET PRIOR TO THE ISSUANCE OF ANY OUTDOOR FESTIVALS BUSINESS LICENSE PURSUANT TO WASHOE COUNTY CODE §25.263 TO §25.305, INCLUSIVE. SUCH CONDITIONS MAY BE IMPOSED BY THE BOARD UNDER THE COUNTY'S GENERAL POLICE POWER AS MAY BE NECESSARY UNDER ALL THE CIRCUMSTANCES FOR THE PROTECTION OF THE HEALTH, WELFARE, SAFETY AND PROPERTY OF LOCAL RESIDENTS AND PERSONS ATTENDING AN OUTDOOR FESTIVALS IN THE COUNTY, INCLUDING, WITHOUT LIMITATION, THE CONDITIONS SPECIFIED IN WASHOE COUNTY CODE §25.291 TO §25.305, INCLUSIVE (SEE CONDITIONS LISTED BELOW).

COMPLIANCE WITH THE CONDITIONS OF THIS LICENSE IS THE RESPONSIBILITY OF THE LICENSEE AT THE LICENSEE'S EXPENSE. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED BY THE COUNTY COMMISSION MAY CAUSE WASHOE COUNTY TO NOT ISSUE THE BUSINESS

LICENSE OR FOR THE COUNTY TO TAKE APPROPRIATE MEASURES TO REVOKE OR SUSPEND THE BUSINESS LICENSE.

WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD THE COUNTY DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

THE APPLICANT SHALL SUBMIT ALL REQUIRED PLANS, PERMITS, DOCUMENTATION, ETC. TO THE IDENTIFIED RESPONSIBLE AGENCY. THE APPLICANT SHALL PROVIDE WASHOE COUNTY BUSINESS LICENSE WITH PROOF OF COMPLIANCE PURSUANT TO WASHOE COUNTY CODE §25.283(1) WITH ALL CONDITIONS BY AUGUST 9, 2002. WASHOE COUNTY BUSINESS LICENSE WILL ISSUE THE OUTDOOR FESTIVALS BUSINESS LICENSE AFTER DETERMINING THAT ALL OF THESE CONDITIONS HAVE BEEN MET AND THAT ALL APPLICABLE FEES AND DEPOSITS HAVE BEEN PAID.

GENERAL CONDITIONS

1. Police protection (Sheriff):
(Staff contact: Deputy Ron Breaux, 328-6328; 2:00 p.m. - 10:00 p.m. workdays except Monday)
 - a. Applicant will contract with either a private security firm licensed in the State of Nevada or with the Washoe County Sheriff's Office to provide security. All security personnel employed by a private security firm will have current Washoe County security guard work permits. The number and type of security personnel to provide for the preservation of order and protection of persons and property in and around the place of the event shall be determined and specified by the Sheriff.
 - b. Applicant will also be responsible for all costs incurred by the Washoe County Sheriff's Office (WCSO) to provide police protection for the event and the community. To ensure personnel and equipment costs are met by the licensee, a cash bond of the estimated cost will be required to be placed with the Sheriffs Office.
 - c. Security personnel will have radio communication with the WCSO at all times and authority and control of this augmented security force will be subordinate to all on-scene law enforcement personnel.
 - d. Vehicle and pedestrian access controls will be established to the satisfaction of the WCSO.
 - e. Hours of operation will be enforced by on-site security personnel and the WCSO.
 - f. Centrally located sites for a command post and staging area for the WCSO will be provided, including power and telephone service.

2. Food concessions and attendant sanitary facilities (District Health):
(Staff contact: Jeffrey M. Brasel, 328-2620)
 - a. Adequate supply water from a specified and approved water source shall be provided for the food service operations of Hole in One Catering. The promoter shall arrange to tend to their water supply for the duration of the event.
 - b. 5-gallon jugs of water are only acceptable for transport to the food establishments if the jugs are food grade (e.g., drinking water jugs).
 - c. All food-service operations shall be at a minimum of 50 feet from portable toilet facilities.
 - d. All food-service operations shall be situated to prevent potential flooding and/or contamination from sprinkler spray or runoff, non-potable water spray (e.g., dust control), or portable toilets.
 - e. All water lines or hoses used for the Temporary Food Service Operations shall be food grade and equipped with an approved back-flow prevention device.
 - f. Hole in One Catering shall secure Temporary Food Establishment permits for the event through the Environmental Health Services Division of the Washoe County District Health Department and shall meet all of the requirements of Temporary Food Service Establishment operations of the Regulations of the Washoe County District Board of Health Governing Food Establishments.
 - g. Adequate refrigeration shall be provided for or by Hole in One Catering for overnight storage of food.
 - h. Any other vendors selling or sampling food and/or beverage items shall contact the Environmental Health Services Division of the Washoe County District Health Department regarding permit requirements at least 7 days prior to the event.
 - i. Recycling containers for plastic bottles (PTE) must be placed alongside garbage cans and cardboard from the vendors must be separated and recycled.
3. Solid Waste Disposal (District Health)
(Staff contact: Jeffrey M. Brasel, 328-2620)
 - a. The minimum required sanitation facilities must be approved by District Health to include twelve 250-gallon holding tanks for gray water storage (serviced twice per day) and provisions for dumping, or pumping out, RV and food vender holding tanks.
4. Medical services (District Health)
(Staff contact: Stephanie Beck, 328-2420)
 - a. The applicant shall provide a dedicated ALS ambulance at the tournament site whenever vendors or spectators are present.
 - b. Summary data on medical contacts for the tournament are to be submitted to the EMS Coordinator at the District Health Department, P.O. Box 11130, Reno, Nevada 89520 within two weeks after the close of the event.
 - c. Biological waste containers (red bags for waste and appropriate sharp containers) are to be provided in the medical van and the two first aid tents. Arrangements should be made for the disposal of these wastes, either through a hazardous waste vendor or the medical providers.

- d. The applicant shall provide a copy of the final map that indicates the sites for medical care.
- e. The applicant shall provide a copy of the letters sent to the two area acute care hospitals demonstrating prior notice of the tournament and its dates.

5. Access and parking control (Public Works):

(Staff contact: Clara Lawson, 328-3603)

- a. The applicant shall provide the following additional information:
 - 1) Turning movement volume at A.M. and P.M. peak hours at the intersection of Mt. Rose Highway and Wedge Parkway.
 - 2) Occupancy rate.
 - 3) NDOT approval for freeway access.
- b. The applicant shall provide additional information as part of the transportation and parking plan (to include specific site plans):
 - 1) The site plan for the freeway parking lot shall include the width of the roadway (minimum width is 12 feet); bus pick-up area; and the location of flaggers, signs and traffic control devices.
 - 2) The site plan for the Galena High School parking lot shall include the bus pick up area; and the location of flaggers or lot attendants, signs and traffic control devices.
 - 3) Signage on Edmonton, Butch Cassidy, De Spain, and Wedge Parkway.
 - 4) A grading permit maybe required for the freeway parking lot.

6. Illumination (Building and Safety):

(Staff contact: Tim Kay, 328-202)

- a. Applicant must apply for permits for power provision from the Building and Safety Department.

7. Hours of Operation (Community Development)

(Staff contact: Bob Webb, 328-3623)

- a. The event shall operate only between the hours of 6:30 a.m. until 8:00 p.m. each day from August 19, 2002 until August 25, 2002.
- b. The applicant shall provide a letter from the Redfield Land Company agreeing to use of their land for the freeway parking lot.
- c. The applicant shall provide the Assessor's Parcel Number for the NDOT owned parcel that constitutes a portion of the freeway parking lot.

8. Fire protection (Nevada Division of Forestry):

(Staff contact: Rich Riolo, 849-2376)

The following conditions shall be met subject to the approval of the Forestry Division:

- a. Grass and weeds on parking lots at Callahan and freeway shall be cut to a minimum height of 2 inches. A water truck shall water the areas at least once a day, depending on the use and temperatures on a given day.

- b. Fire extinguishers must be provided for tents, cooking areas and on-site parking areas.
- c. Applicant must provide a schematic of the location of generators and associated electrical wiring.

9. Indemnification and insurance (Risk Management):

(Contact Number: Jim Jeppson, 328-2075)

- a. Washoe County must be named as Additional Insured on all policies required or procured for this event to the approval of Risk Management.
- b. The tour shall provide General Liability insurance with limits of \$1,000,000 per occurrence and \$2,000,000 in the aggregate. Washoe County also requires umbrella liability limits of \$5,000,000.
- c. Applicant must provide evidence of Workers Compensation coverage.
- d. Applicant must provide Automobile Liability Insurance with a limit of \$1,000,000 Combined Single Limit.
- e. The policies provided by the sponsor must be endorsed so that the coverage provided to the County is primary as respects this event.
- f. The carriers providing coverage for the tour and all subcontractors must be licensed and admitted in the State of Nevada to the approval of Risk Management.
- g. The sponsor will have all volunteers sign a waiver, which must be reviewed and approved by Risk Management before it is distributed.

10. Performance Security (District Attorney)

(Staff contact: Jim Barnes, 328-3412)

- a. The applicant will be responsible for total clean up of the site. A performance bond pursuant to Washoe County Code §25.305(1) in the amount of \$4,000.00 shall be posted with the Department of Community Development prior to August 9, 2002. The applicant shall provide a written statement with the performance bond guaranteeing the cleanup and restoration of the site to pre-event condition.
- b. The site will be inspected by and approved as to the adequacy of cleanup by the Department of Community Development prior to release of the performance bond.

02-563

**RECONSIDERATION OF APPROVAL OF FISCAL YEAR
2002/2003 BUDGET FOR WASHOE COUNTY – ADOPTION OF
FINAL BUDGET**

Chairman Sferrazza said he was advised that the City of Reno would not consider this item on their agenda until after 6:00 p.m. today, but the District Attorney has indicated that the Board's motion would be conditioned upon Reno approving the tax rate decrease within the City of Reno. The City of Sparks voted to reduce their property tax by one cent contingent upon Washoe County increasing their property tax rate by one cent to cover the elimination of the Sparks annual jail payment.

Legal Counsel Shipman requested a motion for reconsideration of Washoe County's final budget that was approved last week.

On motion by Commissioner Galloway, seconded by Commissioner Shaw, which motion duly carried, Chairman Sferrazza ordered that approval of the Fiscal Year 2002/03 Budget for Washoe County be *reconsidered*.

Commissioner Galloway said, in the spirit of getting something done this year, he agreed to sponsor the jail compromise proposal. He said the compromise proposes that the County assume total financial responsibility for the jail by increasing the County's property tax rate by one cent to compensate for the loss of revenue from both Reno and Sparks. In return, Reno and Sparks would both agree to decrease their property tax rates by one cent or more to reflect their elimination of jail expenses. The proposal would provide for the County to assume full operating costs of the jail without reducing current services. Commissioner Galloway then read the proposed motion for this item outlined in the agenda material.

Commissioner Bond said she has a hard time letting the City of Reno off the hook for the jail payment. Commissioner Galloway said he shares that feeling but noted the jail payments do not increase in time and would ultimately be eaten up by inflation. He commented that Sparks gave more rate than they had to in the last compromise; this would give Washoe County some certainty; and there would no longer be the worry about Reno withholding the payment.

Commissioner Short said he has a hard time with the proposed compromise. He stated it is supposedly to solve fiscal equity but the County has done a lot of things already to solve fiscal equity; and the fiscal equity issue concerning the Redevelopment District in downtown Reno has not been addressed. Commissioner Short said it is unfair to keep subsidizing downtown problems on the backs of County taxpayers that do not receive the benefit.

Commissioner Galloway stated he feels strongly about some of the inequities and problems that need to be addressed, but the compromise would resolve one problem. He said he expects good will to be returned. The County has extended itself in proposing this compromise, but someone has to make the first move.

Commissioner Shaw said he questions whether the end justifies the means relative to this compromise.

Chairman Sferrazza stated he supports the proposed compromise. He noted that the way the motion is framed the City of Reno would reduce its tax; the portion of Sparks that is in his district would also have a reduced tax; and a large share of the jail payment would still be paid by Reno and Sparks residents. However, he made a commitment when he ran for County Commissioner that he would not vote for any tax increase without a vote of the people and cannot vote in favor of the proposed motion.

Katy Singlaub, County Manager, commented that the compromise motion requires four affirmative votes to pass under the Board's Rules and Procedures.

Chairman Sferrazza stated he would support a motion to suspend the Board's rules for this item.

Commissioner Galloway moved to suspend the Board's Rules and Procedures to allow the compromise motion to pass by a simple majority. Chairman Sferrazza seconded the motion. On call for the question, Commissioners Bond and Shaw voted "no," and the motion to suspend the rules passed 3 to 2.

Following further discussion, Commissioner Galloway made the following motion:

In the interest of reaching agreement between Washoe County, Reno, and Sparks on the issue of payments for jail operations, Commissioner Galloway moved to amend the County's combined 2002-03 property tax rate from 1.3353 (shown in the most recent approved budget) to 1.3453; staff be directed to make any necessary adjustments to the 2002-03 approved budget as reconsidered; and the final budget for 2002-03 containing these adjustments be approved.

This approval action is conditioned upon the governing bodies of the City of Reno and the City of Sparks taking action to implement the jail operations agreement compromise, as follows:

The compromise proposal anticipates that the 2002-03 budgets for each of the three entities shall reflect the following changes respectively:

The Washoe County Combined Rate will increase by exactly one cent from 1.3353 to 1.3453, AND

The City of Reno Rate will decrease from .9556 by one cent to .9456 or by more than one cent to a lower figure, if for its own reasons the City of Reno desires a lower combined rate in its final budget, AND

The City of Sparks Rate decreases from .9461 by one cent to .9361 or by more than one cent to a lower figure, if for its own reasons the City of Sparks desires a lower combined rate in its final budget.

AND, upon implementation of these rate changes, it is understood that the jail payment agreement entered into in 1987 is no longer in effect.

If such action is not taken by the City of Reno and the City of Sparks prior to June 1, 2002, staff is directed to file its final budget for 2002-03, including the combined rate of 1.3353 and, as otherwise approved by this Board, but without any adjustments for the jail operations agreement compromise.

Commissioner Shaw seconded the motion and, upon call for the vote, the motion carried 3 to 2 with Commissioners Sferrazza and Short voting "no".

* * * * *

There being no further business to come before the Board, the meeting adjourned at 6:10 p.m.

PETER J. SFERRAZZA, Chairman
Washoe County Commission

ATTEST:

AMY HARVEY, Washoe County
Clerk and Clerk of the Board of
County Commissioners

*Minutes Prepared By:
Sharon Gotchy and Barbara Trow
Deputy County Clerks*